

## UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

February 3, 1981

Lead Mine Tailings in Desloge, Missouri

SITE	BIG RIVER MINE
ID#	MOD981126899
BREAK	101
OTHER	2-3-81

Martha McKee, HAZM-TSS-CR&amp;A

Thomas Buechler, Chief, HAZM-TSS

THRU Katie Biggs, HAZM-TSS-CR&amp;A

As the result of renewed inquiries on this subject from the Enforcement Division, I have reviewed the available information

I Background

Attachment 1, a summary prepared last year by the Enforcement Division, details all the "facts" and history of the case. Please read it for as thorough a background as is possible. The problem is currently being discussed as three sites: (1) the tailing piles, (2) the tailings in the river, and (3) the landfill built on the tailings.

II Uncontrolled Site Status

None of these three problems have been listed as an uncontrolled site. The State has maintained that these are not "hazardous materials." State regulations specifically exclude the tailings from the definition of hazardous waste. Mining wastes are also excluded under 40 CFR Part 261. However, RCRA Section 7003 addresses any solid or hazardous waste presenting an imminent hazard to the environment. In view of the available evidence, I would recommend listing (or having the State list) two of the three above referenced sites in our tracking system.

A The tailing piles and the tailings in the river - There is significant evidence that lead from the tailings are being ingested by fish downstream of the piles. The Missouri Department of Health has issued a warning to the public not to eat suckerfish. Blood level studies are being conducted in the vicinity to determine the extent of the hazard. This existing problem, coupled with the possibility of more erosion until the site is stabilized, make these problems suitable for listing as a hazardous waste site with St. Joe Minerals Corporation identified as the responsible party.

B The Landfill - A study done by Dr. John Novak of the University of Missouri-Columbia indicates that there may be a problem from the effect of the landfill in a lead mine tailings area. He stated that due to anaerobic decomposition and associated acid formation the metals, particularly lead and zinc, could be leached out of the tailings into the river. The MDNR did leachate monitoring (March 1980) in response to this potential problem. Their analysis

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ARHM/HAZM-TSS McKee lnh x6531 2-3-81



SUPERFUND RECORDS

## CONCURRENCES

SYMBOL	TSS	TSS	TSS	HAZM				
SURNAME	McKee	Biggs	Buechler	Morby				
DATE	McKee 2/3/81	Biggs 2/3/81	Buechler 2/3/81	Morby 2/3/81				

of the results showed, " the levels of lead, zinc, and cadmium are not elevated beyond what might be expected. the levels.. are within the standards for drinking water supplies " It would seem that we have no reason to pursue this problem unless their monitoring was faulty. The monitoring was conducted with guidance from the Missouri Geological Survey. I have heard no substantive reason to believe this was an unacceptable monitoring effort. Therefore, we have no reason to believe this landfill is an uncontrolled site.

### III EPA Enforcement Action

Our Enforcement Division believes that this site should receive immediate attention as an enforcement action under CWA Section 311 or RCRA Section 7003. They believe an "imminent and substantial endangerment" is likely. For a number of reasons, I believe EPA enforcement action is inappropriate at this time.

A Our uncontrolled site program has informally agreed that the State should have the lead on this case.

B The FY-81 State/EPA Agreement (Attachment 2) contains a segment on non-coal mining activities. In that Agreement, the State has committed to evaluate the tailing piles and Big River contamination problem and recommend an implementable solution. Our role was to assist in funds for implementing the solution and to provide continued financial and technical assistance. Until the State has been given every opportunity to fulfill this commitment, further action by EPA would be premature.

1 We should take steps to assure that WATR/WQPL consults both ARHM/HAZM and ENFC prior to reviewing the State's commitment status.

2 We should remain aware of a potential need to act under RCRA 7003.

3 We should list the tailing piles and the tailings in the river as an uncontrolled site. This will enable ARHM/HAZM to track the progress of the State and to take immediate action should the State fail in its commitments.

IV Summary The State currently has the lead on this case. There is evidence that they are investigating the problem. We have a commitment, based on the SEA, that they will act on the problem. Therefore, we should not increase our involvement unless current conditions change. Listing the tailing piles and

tailings in the river will enable us to track the progress of the State and take immediate action should the State fail in its commitments

Attachments

Agree \_\_\_\_\_

Disagree \_\_\_\_\_

Comments